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Attorneys for Plaintiff James Eashoo,  
individually and on behalf of all others  
similarly situated

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

JAMES EASHOO, individually and on behalf of all others similarly situated,

**Plaintiff.**

vs.

## IOVATE HEALTH SCIENCES U.S.A., INC.

**Defendant.**

CASE NO. 2:15-cv-01726-BRO-PJW

**STIPULATION FOR RELIEF  
FROM LOCAL RULE 23-3**

Assigned to the Honorable Beverly Reid  
O'Connell

1           WHEREAS, Plaintiff James Eashoo (“Plaintiff”) filed the above-captioned  
2 class action lawsuit on March 10, 2015;

3           WHEREAS, Plaintiff served his Complaint on Defendant Iovate Health  
4 Sciences U.S.A., Inc. (“Defendant”) on March 11, 2015;

5           WHEREAS, Defendant accepted service by executing a Waiver of Service of  
6 Summons (Dkt. No. 13), which makes May 11, 2015 the deadline for Defendant to  
7 file a response to the Complaint;

8           WHEREAS, Local Rule 23-3 requires Plaintiff to file a Motion for Class  
9 Certification within 90 days after service of their Complaint, or June 11, 2015;

10          WHEREAS, the parties agree that good cause exists for relief from the  
11 requirements of Local Rule 23-3 so that the parties have sufficient time to resolve  
12 the pleadings, conduct discovery, and to investigate and prepare their positions  
13 regarding class certification;

14          IT IS HEREBY STIPULATED by and between the parties, through their  
15 respective counsel of record, as follows:

- 16          1.       The parties are relieved from the requirements of Local Rule 23-3;  
17          2.       The parties shall propose a schedule for the briefing and hearing on  
18 Plaintiff’s Motion for Class Certification in their Joint Rule 26(f) Report; and

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3. The Court will address the briefing and hearing schedule for Plaintiff's  
Motion for Class Certification at the initial Scheduling Conference.

4 | DATED: March 24, 2015

**PEARSON, SIMON & WARSHAW, LLP**  
DANIEL L. WARSHAW  
BOBBY POUYA  
MATTHEW A. PEARSON

By:

DANIEL L. WARSHAW

Attorneys for Plaintiff James Eashoo,  
individually and on behalf of all others  
similarly situated

DATED: March 24, 2015

**NEWPORT TRIAL GROUP  
SCOTT FERRELL**

By:

SCOTT FERRELL

Attorneys for Defendant Iovate Health Sciences  
U.S.A., Inc.